

Notice of Allowability

Application No.

10/716,281

Examiner

Catherine S. Williams

Applicant(s)

PAJUNK ET AL.

Art Unit

3763

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment dated 11/25/05.
2. ☒ The allowed claim(s) is/are 13,15-17 and 19-26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 11/25/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Stephan Pendorf on 2/10/2006.

The application has been amended as follows:

Claims 14 and 18 have been cancelled.

Claim 13 has been replaced with new claim 13 below.

13. A device for anchoring a filter (50) and a catheter (40), comprising:
- an adhesive bandage (10),
 - a securing element (20) for anchoring the catheter (40), wherein the securing element has a surface having a plane and
 - a carrier element (30) for anchoring the filter (50),
 - wherein either the securing element (20) or the carrier element (30) is applied to the adhesive bandage (10),
 - wherein the securing element (20) includes bars (22) extending from the surface, wherein each of said bars (22) extends along a longitudinal axis, wherein openings (24), each having an axis substantially perpendicular to the longitudinal axis of the bar and substantially parallel to the plane of the securing element (20), are provided in the bars, and
 - wherein the securing element (20) includes a first coupling element, which is releasably connectable with a second coupling element provided on the carrier element (30).

Claim 15 has been replaced with new claim 15 below.

Art Unit: 3763

15. The device according to Claim 13, wherein the width of the openings (24) is larger than the diameter of the catheter (40).

Claim 16 has been replaced with new claim 16 below.

16. The device according to Claim 15, wherein the securing element (20) includes gaps (26) having a breadth, which lead from the surface of the securing element (20) into the openings (24).

Claim 19 has been replaced with new claim 19 below.

19. The device according to Claim 13, wherein the bars (22) are arranged in the shape of a cross.

Claim 25 has been replaced with new claim 25 below.

25. A device for anchoring a filter (50) and a catheter (40), comprising:
an adhesive bandage (10),
a securing element (20) for anchoring the catheter (40) having a plane; and
a carrier element (30) for anchoring the filter (50), wherein the carrier element is in direct contact with the securing element;
wherein either the securing element (20) or the carrier element (30) is applied to the adhesive bandage (10),
wherein the securing element (20) includes a first coupling element that interconnects with a second coupling element provided on the carrier element (30), and
wherein the securing element (20) includes bars (22), wherein each of said bars (22) extends along a longitudinal axis, wherein openings (24), each having an axis substantially perpendicular to the longitudinal axis of the bar and substantially parallel to the plane of the securing element (20), are provided in the bars.

Claim 26 has been replaced with new claim 26 below.

Art Unit: 3763

26. A device for anchoring a filter (50) and a catheter (40), comprising:
an adhesive bandage (10),
a securing element (20) for anchoring the catheter (40), the securing element having a plane; and
a carrier element (30) for anchoring the filter (50),
wherein the carrier element and the securing element are located in different planes;
wherein either the securing element (20) or the carrier element (30) is applied to the adhesive bandage (10),
wherein the securing element (20) includes a first coupling element that interconnects with a second coupling element provided on the carrier element (30), and
wherein the securing element (20) includes bars (22), wherein each of said bars (22) extends along a longitudinal axis, wherein openings (24), each having an axis substantially perpendicular to the longitudinal axis of the bar and substantially parallel to the plane of the securing element (20), are provided in the bars.

Allowable Subject Matter

Claims 13,15-17 and 19-26 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art does not teach a device for anchoring a filter and a catheter including a securing element for anchoring the catheter having a plane and a first coupling element that is releasably connectable or interconnects with a second coupling element provided on a carrier element for anchoring the filter in combination with the securing element having bars that each extend along a longitudinal axis and openings provided in the bars that each have an axis substantially perpendicular to the longitudinal axis of the bar and substantially parallel to the plane of the securing element.

The prior art most similar is EP972537A2 which teaches a connector for affixing a filter to the skin of a patient. The reference also teaches a connector for attaching a catheter to the skin of a patient. However, the reference does not teach the two connectors having element that are releasably connectable or interconnecting. Additionally, neither the reference nor common knowledge in the art renders a modification obvious. Furthermore the catheter connecting element does not have the structure of the bars with openings.

Connectors for securing catheters having the structure of a bar with perpendicular openings through the bars does exist in the prior art, see 3,568,679 and 5,389,082. However, these connector do not teach an element for anchoring a filter that includes a coupling element that releasably connects or interconnects with the element having the bar. Additionally, neither the references nor common knowledge in the art renders a modification obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

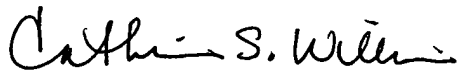
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Catherine S. Williams whose telephone number is 571-272-4970. The examiner can normally be reached on Monday - Friday.

Art Unit: 3763

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nicholas D. Lucchesi can be reached on 571-272-4977. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Catherine S. Williams

February 10, 2006